

Application No. 10/731,337
Amendment Dated September 29, 2004
Reply to Office Action of June 29, 2004

REMARKS/ARGUMENTS

Claims 17 - 33 are pending in this application, with Claims 17 and 18 having been amended, Claims 25 - 33 being withdrawn from consideration, and Claims 1 - 16 and 34 - 36 canceled to expedite the prosecution of this application.

Favorable reconsideration is respectfully requested in view of the foregoing amendments and the following remarks.

Claims 17 and 18 stand rejected under 35 USC §102 as being anticipated by United States Letters Patent 5,205,004 (Hayes et al.). Claims 19 - 24 were objected to as being dependent upon a rejected claim and were indicated as being allowable if rewritten into independent form including all of the limitations of the claims from which they depend.

Referring to the rejection of Claim 17, this claim has been amended to more clearly define the invention over the Hayes et al. patent. In particular, Claim 1 now calls for an infant support for an incubator or a warmer or a combination thereof. The support comprises the following features: (1) a planar support surface having a planar head end and a planar foot end, (2) with the head end and the foot end and being fixedly oriented coplanar with each other, (3) first and second elevators movable between raised and lowered positions, and coupled to the head end and the foot end, respectively to enable the support surface to be oriented in a trendelenberg and reverse-trendelenberg positions, (4) a driver movable in first and second directions, and (5) first and second drive plate mechanisms, with each drive plate mechanism being coupled to the driver, the first drive plate mechanism being configured to move the first elevator to the raised position when the driver

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is moved in the first direction, and the second drive plate mechanism being configured to move the second elevator to the raised position when the driver is moved in the second direction.

These combined features are not shown nor suggested by the Hayes et al. patent. In particular, the Hayes et al. reference discloses a bed frame, presumably for an adult and not an infant. The Hayes et al. structure is not suitable for incubator or infant warming use. Moreover, and most significant, the bed frame includes plural mattress support sections 10, 12, 14 and 16 which are hingedly coupled to one another. In contradistinction, the subject invention, as set forth in amended Claim 17 calls for a planar support surface having a planar head end and a planar foot end, with the head end and the foot end and being fixedly oriented coplanar with each other. This arrangement much simpler in construction than the Hayes et al. bed frame and is particularly suited for supporting an infant in an incubator or on a warmer so that the infant can be oriented in either a horizontal position, a trendelenberg position or a reverse-trendelenberg position.

Claims 18 - 32 are dependent, either directly or indirectly, upon Claim 17 are hence patentable for reasons similar thereto.

Also enclosed are a Revocation of Power of Attorney and Appointment of New Power of Attorney and a Statement Under 37 CFR 3.73(b) with Exhibit A attached thereto confirming the electronic filing of the Assignment of this application on September 28, 2004.

For the reasons set forth above, it is respectfully submitted that all of the elected claims now pending are allowable and that this application is in condition for allowance. Thus, favorable reconsideration and prompt allowance of the claims are respectfully requested.

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Should the Examiner believe that anything further is desirable in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned attorney at the telephone number listed below.

Respectfully submitted,

CAESAR, RIVISE, BERNSTEIN,
COHEN & POKOTILOW, LTD.

September 29, 2004

Please charge or credit our Account
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